SBCivil Writ Petition No.5681/2006

Dr.Mahendra Pal Singh

Vs.

State of Rajasthan & Ors.

Date of Order :: 9th October, 2006

HON'BLE MR.JUSTICE GOVIND MATHUR

Mr. D.K.Gaur, for the petitioner.

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The appointment was given to the petitioner under an order dated 21.3.1991 as a Medical Officer in accordance with Rule 16 of the Rajasthan Medical and Health Service Rules, 1963. The appointment of the petitioner was for a short term of six months or till availability of selected incumbents through Rajasthan Public Service Commission, whichever is earlier. A regular appointment was given to the petitioner under an order dated 21.5.1996 under the recommendations made by Rajasthan Public Service Commission. The petitioner thereafter was promoted to the post of Deputy Chief Medical and Health Officer by an order dated 15.6.2002.

The grievance of the petitioner is that the respondents are now going to make promotions to the post of Chief Medical and Health Officer by

determining his seniority w.e.f. 21.5.1996, the day on which appointment was given to him, to the post of Medical Officer as a consequent to selection through Rajasthan Public Service Commission.

It is contended by counsel for the petitioner that in certain other matters of similar nature this Court has already given directions to determine seniority of Medical Officers from the date of their initial appointment even for a short term on adhoc basis. No such judgment of this Court is available with the petitioner. The details of similar cases are also not available with counsel for the petitioner.

Be that as it may, the petitioner before approaching this Court submitted a representation to the Director, Medical and Health Services, Government of Rajasthan, Jaipur on 30.8.2006 i.e. available on record as Anx.7. The aforesaid representation has not been decided by the Director, Medical and Health Services, Government of Rajasthan, Jaipur.

In view of it, this writ petition is disposed of with a direction to the Director, Medical and Health Services, Government of Rajasthan, Jaipur to consider and dispose of the representation submitted by the petitioner within a period of three months from the date the petitioner serves a certified copy of this order upon the the Director. The Director shall

take into consideration all the contentions made by the petitioner in the representation.

No order to costs.

(GOVIND MATHUR),J.

kkm/ps.